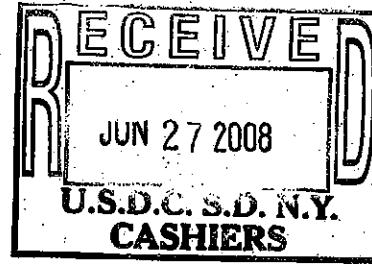


08 CIV 5842

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

XL CAPITAL ASSURANCE INC.,

Plaintiff,

v.

INDYMAC BANK, F.S.B.,

Defendant.

08-CV-

**Rule 7.1 Disclosure Statement**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, the undersigned counsel of record certifies that XL Capital Assurance Inc. is a wholly owned subsidiary of Security Capital Assurance, Ltd, a publicly traded corporation whose shares are listed on the New York Stock Exchange (NYSE: SCA). XL Capital Ltd owns 46.05% of Security Capital Assurance, Ltd. and is a publicly traded corporation whose shares are listed on the New York Stock Exchange (NYSE: XL). No corporation owns 10% or more of the XL Capital Ltd stock.

Dated: June 27, 2008

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